

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA)

v.)

JAMES R. HART)

Case No. 04-cr-10119-MEL

ASSENTED TO MOTION TO EXCLUDE TIME

The United States, by and through its attorneys, United States Attorney Michael J. Sullivan and Assistant United States Attorney Seth P. Berman, moves, pursuant to 18 U.S.C. §3161 (h)(8)(A), to exclude the period of time commencing on May 4, 2006 and ending on May 11, 2006. As grounds therefore, the government states that the Court was forced to reschedule the original date for this status conference due to the illness of the Judge. Defendant's counsel, Kevin Barron, assents to this motion.

WHEREFORE, the United States respectfully request, under 18 U.S.C. §3161(h)(8)(A) and §5(c)(1)(A) of Plan for Prompt Disposition of Criminal Cases of this Court, that this Court find, based on the above, that the ends of justice served by granting the requested exclusion outweigh the best interest of the public and the defendant in a speedy trial, and, accordingly, exclude the above period in computing the time within which trial must commence.

Respectfully Submitted,

MICHAEL J. SULLIVAN
United States Attorney
By:

/s/ Seth P. Berman
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May 8, 2006